

Atty. Dkt. No. 016906-0346

IFW. #

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Winfried JUSCHKA et al.

Title: EXHAUST HEAT EXCHANGER IN PARTICULAR FOR MOTOR VEHICLES

Appl. No.: 10/511,726

Filing Date: 10/18/2004

Examiner: M. Gimie

Art Unit: 3747

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

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**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(c), before the mailing date of either a final action under 37 CFR §1.113, a notice of allowance under 37 CFR §1.311, or an action that otherwise closes prosecution in the application.

**RELEVANCE OF EACH DOCUMENT**

Document A24 discloses a heat exchanger.

Document A26 discloses a cooler for gaseous or fluid media, in particular an exhaust gas cooler for a combustion powered machine.

Document A32 discloses a heat exchanger, in particular an exhaust gas heat exchanger.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

**FEE**

A fee in connection with submission of an information disclosure statement under 37 CFR §1.97(c) in the amount of \$180.00 in accordance with 37 CFR §1.17(p) is attached.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 15, 2005

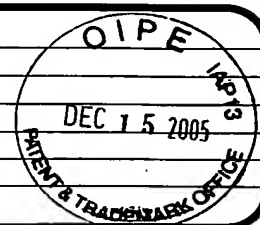
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Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: December 15, 2005  (use as many sheets as necessary)				<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/511,726</td> </tr> <tr> <td>Filing Date</td> <td>10/18/2004</td> </tr> <tr> <td>First Named Inventor</td> <td>Winfried JUSCHKA</td> </tr> <tr> <td>Group Art Unit</td> <td>3747</td> </tr> <tr> <td>Examiner Name</td> <td>Unassigned</td> </tr> <tr> <td>Attorney Docket Number</td> <td>016906-0346</td> </tr> </table>		Application Number	10/511,726	Filing Date	10/18/2004	First Named Inventor	Winfried JUSCHKA	Group Art Unit	3747	Examiner Name	Unassigned	Attorney Docket Number	016906-0346
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Attorney Docket Number	016906-0346																
Sheet	1	of	2														



### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	A1	1,558,139		ZIMMERMANN	10-20-1925	
	A2	6,269,870	B1	BANZHAF ET AL.	08-07-2001	
	A3	2,488,807		CURRIE	11-22-1949	
	A4	4,133,374		YORK	01-09-1979	
	A5	6,206,086		McKEY	03-27-2001	
	A6	4,635,712		BAKER ET AL.	01-13-1987	
	A7	2,075,511		DE BAUFRE	03-30-1937	
	A8	4,773,475		SLEEP, JR.	09-27-1988	
	A9	5,022,581		ZIMMER	06-11-1991	
	A10	4,974,569		AMPFERER ET AL.	12-04-1990	
	A11	5,584,340		DEROSIER	12-17-1996	
	A12	6,129,142		BELDAM	10-10-2000	
	A13	1,724,351		HENDERSON ET AL.	08-13-1929	
	A14	5,048,596		LU	09-17-1991	
	A15	1,780,837		NOTT	11-04-1930	
	A16	2,607,567		HOBBS	08-19-1952	
	A17	6,321,835	B1	DAMSOHN ET AL.	11-27-2001	
	A18	2004/0244946	A1	SCHINDLER	12-09-2004	
	A19	2005/0224213	A1	KAMMLER	10-13-2005	
	A20	2005/0034843	A1	SCHINDLER ET AL.	02-17-2005	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>8</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	A21	GB	1,101,867		THE AIR PREHEATER COMPANY, INC.	01-31-1968		
	A22	EP	0 930 429	A2	STEYR-NUTZFAHRZEUGE ATIENGESELLSCHAFT	07-21-1999		Abst.
	A23	DE	199 07 163	A1	BEHR GMBH & CO.	10-28-1999		Abst.
	A24	DE	29 30 577	A1	WIESSNER GMBH	02-12-1981		
	A25	GB	2 164 738	A	SUDDEUTSCHE KUEHLERFABRIK JULIUS FR BEHR GMBH & CO. KG	03-26-1986		
	A26	DE	296 12 361	U1	GUSTAV WAHLER u CO.	10-10-1996		
	A27	DE	34 35 093	A1	SUEDDEUTSCHE KUEHLER BEHR	04-03-1986		Abst.
	A28	FR	2 625 301	A3	VALEO CHAUSSON THERMIQUE	06-30-1989		Abst.

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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PATENT & TRADEMARK OFFICE

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